

**Notice of Allowability**

Application No.

10/501,575

Examiner

Aditya S. Bhat

Applicant(s)

PIERAGOSTINI, ENRICO

Art Unit

2863

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/16/05.
2. ☒ The allowed claim(s) is/are 1-29.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 7/13/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Allowable Subject Matter***

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 1:

The primary reason for the allowance of claim 1 is the inclusion of the method steps of: summation of the maps of said at least two times t1 and t2 as obtained from the phase A. It is this feature found in the claim, as it is claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

Claims 2-29 are allowed due to their dependency on claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James V. Costigan on September 29, 2005.

The application has been amended as follows:

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In claim 5, line 1-2, "the preceding claims from 2 to 4," has been deleted and – claims 2 or 3-- has been inserted.

In claim 6, line 1-2, "the preceding claims from 2 to 5," has been deleted and – claims 2 or 3 -- has been inserted.

In claim 7, line 1-2, "the preceding claims from 2 to 6," has been deleted and – claims 2 or 3 -- has been inserted.

In claims 8-9, and 17-25, line 1-2, "the preceding claims" has been deleted and – claims 2 or 3 -- has been inserted.

In claim 10, line 1-2, "the preceding claims from 2 to 9, caricaturised" has been deleted and – claims 2 or 3 characterised-- has been inserted.

In claim 11, line 1-2, "the preceding claims from 2 to 10, caricaturised" has been deleted and – claims 2 or 3 characterised-- has been inserted.

In claim 12, line 1-2, "the preceding claims from 2 to 11," has been deleted and – claims 2 or 3 -- has been inserted

In claim 13, line 1-2, "the preceding claims from 2 to 12," has been deleted and – claims 2 or 3 -- has been inserted.

In claim 14, line 1-2, "the preceding claims from 2 to 13," has been deleted and – claims 2 or 3 -- has been inserted

In claim 15, line 1-2, "the preceding claims from 2 to 14," has been deleted and – claims 2 or 3 -- has been inserted

In claim 16, line 1-2, "the preceding claims from 1 to 15," has been deleted and – claims 2 or 3 -- has been inserted

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In claim 26-27, lines 2-3, "the preceding claims from 1 to 25," has been deleted and -- claims 2 or 3 -- has been inserted

In claim 29, line 3, "from 1 to 25," has been deleted and -- claims 2 or 3 -- has been inserted

In claim 25, line 2, "1 e 30" has been deleted and -- 1 and 30 -- has been inserted

In the abstract, lines 5-27, have been deleted and

-- The invention concerns a method and device, for remote sensing of objects that emit variable thermal emissions having phases, which may include: A. acquisition of a map of the radiation coming from the surface of the portion of space within or behind the object to be sensed at least at a first time  $t_1$  and a second time  $t_2$ , such times being successive to each other; B. acquisition of a map of the radiation coming from the surface of said portion of space at a third instant  $t^*$ ; C. summation of the maps of at least two times  $t_1$  and  $t_2$ ; D. subtraction of the map at time  $t^*$  from the sum from the sum of phase C as well as other phases -- has been inserted

In the specification, line 1, -- This application is a 371 of PCT/IT02/00306 filed May 9, 2002, entitled "Method and relevant device for revealing objects", which claims priority from Italian Application No. RM2002A000023, filed January 18, 2002; which applications are incorporated herein by reference. -- has been inserted

Amendments to claims 5-27 and 29 were made to define over the applied prior art. This system is deemed to be non-obvious over the systems of the prior art.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nakura et al. (USPN 6,244,106) teaches an electrical power cable underground laying depth measuring method, Del Grande (USPN 4,005,289) teaches a method for identifying anomalous terrestrial heat flows, Cielo et al, (USPN 4,996,426) teaches a device for subsurface flaw detection in reflective materials by thermal transfer imaging, Sackman (USPN 4288,866) teaches ultrasonic image system, Fender et al. (USPUB 2004/0267470) teaches systems and method for performing multi-source measurements, Del Grande (USPUB 2004/0183020) teaches systems and methods for performing multi-source measurements and Newman (WO 01/3700 ) teaches an apparatus and method for detecting heterogeneities by thermal imaging of microwave irradiated terrain.

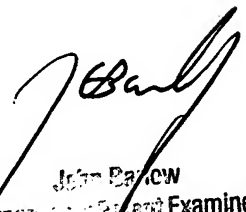
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aditya S. Bhat whose telephone number is 571-272-2270. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 571-272-2269. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aditya Bhat  
September 29, 2005

  
John Barlow  
Supervisory Patent Examiner  
Technology Center 2800